

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

C.B., a minor, by and through his parents
CHRIS BISHOP and SARA CHRISTENSEN;
J.B., a minor, by and through his parents
CHRIS BISHOP and SARA CHRISTENSEN;
CHRIS BISHOP, individually, and SARA
CHRISTENSEN, individually,

Plaintiffs,

vs.

LAKE CHELAN SCHOOL DISTRICT NO.
129, a Washington public school district; and
K.C. CRAVEN, individually,

Defendants.

NO. 2:14-CV-82-JLQ

ORDER GRANTING JOINT
MOTION TO STRIKE MOTION TO
DISMISS; ALLOWING FILING OF
AMENDED COMPLAINT

BEFORE THE COURT is the parties' Joint Motion to Strike Defendants' Motion to Dismiss (ECF No. 50) and Joint Motion to Expedite the Motion to Strike (ECF No. 51). The parties additionally request that the court grant permission for Plaintiffs to file a Second Amended Complaint.

Plaintiffs' First Amended Complaint listed sixteen Claims for Relief, all stemming primarily from allegations that Defendant K.C. Craven, a teacher in Defendant Lake Chelan School District, sexually abused minor C.B., which also caused harm to twin sibling J.B. Plaintiffs' Fifth, Seventh, Ninth, and Twelfth Claims for Relief listed their parents, Chris and Sara Bishop, as injured parties. Defendants' Motion to Dismiss (ECF No. 28) sought to dismiss these claims on grounds that Defendants owed no legal duty of care to the parents. The hearing on the Motion to Dismiss is currently set for December 12, 2014.

1 In response, Plaintiffs have submitted a proposed Second Amended Complaint
2 (ECF No. 50-1) which does not include the Claims for Relief that Defendants sought to
3 dismiss. Because all parties have provided written consent for the Second Amended
4 Complaint, such request is proper under Fed.R.Civ.P. 15(a)(2).

5 **IT IS HEREBY ORDERED:**

6 1. The Joint Motion to Strike Defendants' Motion to Dismiss (ECF No. 50) is
7 **GRANTED.**

8 2. Defendants' Motion to Dismiss (ECF No. 28) and the December 12, 2014
9 hearing thereon are hereby **STRICKEN.**

10 3. The Joint Motion to Expedite the Joint Motion to Dismiss and Allowing Filing
11 of Amended Complaint (ECF No. 51) is **GRANTED.**

12 **IT IS SO ORDERED.** The Clerk is hereby directed to enter this Order and furnish
13 copies to counsel.

14 **DATED** this 2nd day of December, 2014.

15 s/ Justin L. Ouackenbush
16 JUSTIN L. QUACKENBUSH
17 SENIOR UNITED STATES DISTRICT JUDGE
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